

# Fact Sheet

## Work and residence permits

### ■ General overview

Switzerland applies a twin-track approval policy for work permits: Although persons from EU member states take precedence over third-country nationals, an effort is made to apply a nonrestrictive immigration policy for skilled and qualified workers from non-EU member states. In order to work in Switzerland, foreigners require a work and/or residence permit with the right to engage in gainful employment. If they stay for longer than 4 months, this permit is issued on the basis of a quota system. Free movement of persons has been in effect since June 1, 2007 for EU/EFTA member states (not applicable to the 10 new members).

Category	Non-EU/EFTA nationals	EU/EFTA nationals
Short-term permit (L)	<ul style="list-style-type: none"> <li>■ Limited residence permit (generally ≤ 1 year) for specific purpose (e.g. key persons for new company, persons in training and further training, persons on work placements, etc.)</li> <li>■ Annual quota of 5,000 permits (with the exception of persons on work placements)</li> </ul>	<ul style="list-style-type: none"> <li>■ Limited residence permit (generally ≤ 1 year) for specific purpose but with no obligation to leave the country as soon as the contract ends</li> <li>■ Permit entitlement</li> </ul>
Cross-border commuter's permit (G)	<ul style="list-style-type: none"> <li>■ Renewable permit valid for 1 year. Only valid in the border zone of the issuing canton. Change of workplace subject to consent</li> <li>■ Must return to main residence in EU/EFTA country at weekends (i.e. a permanent residence permit in EU/EFTA country is required)</li> </ul>	<ul style="list-style-type: none"> <li>■ Valid for 5 years (provided a contract of employment has been signed for more than 1 year)</li> <li>■ Valid within all Swiss border zones. Professional mobility guaranteed. Must return to main residence in EU/EFTA country at least once a week. Permit entitlement</li> </ul>
Residence permit (B)	<ul style="list-style-type: none"> <li>■ Residence permit generally valid for 1 year for a longer (1-year) stay for a specific purpose, with life centered on and residence in Switzerland</li> <li>■ Normally renewed annually (generally a formality)</li> <li>■ Annual quota: 4,000 permits</li> </ul>	<ul style="list-style-type: none"> <li>■ Generally valid for 5 years for a longer (1-year) stay for a specific purpose, with life centered on and residence in Switzerland and right to be self-employed</li> <li>■ Extended for a further 5 years in the case of secure employment</li> </ul>
Settlement permit (C)	<ul style="list-style-type: none"> <li>■ Application may be made after 10 or 5 years of normal uninterrupted residence</li> <li>■ No job market or geographical restrictions</li> <li>■ No quota</li> </ul>	<ul style="list-style-type: none"> <li>■ Application may be made after 5 years of normal uninterrupted residence</li> <li>■ No job market or geographical restrictions</li> <li>■ No quota</li> </ul>



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### **Residence permits for nationals of the 15 original EU member states, Malta, and Cyprus**

The principle of freedom of movement of persons is set out in the bilateral agreements between Switzerland and the EU. It includes the right to enter and take up residence, seek work or set up in self-employment in Switzerland or in a member state of the European Union and to remain there on retirement.

Switzerland has basically adopted the same types of residence permits as those already in use in the EU. Persons staying for less than 3 months do not need a residence permit but must report to the authorities. Persons staying for longer must obtain the relevant permit.

### **Residence permits for nationals of the 10 new EU member states**

Until 2011, applications should continue to be filed with beco (Berne Economy) through the local authority in the municipality where the employer's office is located. Pay and working conditions will be examined, as will the need (if applicable) to give precedence to Swiss employees.

### **Short-term residence permit (up to 1 year): EU/EFTA L permit**

This permit is intended for persons in employment and for persons with no gainful employment (such as students). It may be renewed and it allows persons to move and work anywhere in the country and to bring their families to Switzerland. Persons from EU member states with a contract of employment valid for less than 1 year who meet the requirements of the transitional provisions are issued a resident's permit for the term of their contract of employment.

### **Cross-border commuter's permit: EU/EFTA G permit**

Cross-border commuters from EC/EFTA member states are granted professional and geographical mobility within all Switzerland's border zones. On June 1, 2007 the border zones were abolished for citizens from the 15 old EU member states, Cyprus, Malta and the EFTA. Persons from these states may live anywhere in the EU/EFTA region and work anywhere in Switzerland provided they return to their place of residence abroad once a week. The border zones remain in force for citizens from the new EU member states (except Cyprus and Malta). The EC/EFTA cross-border commuter permit is valid for five years, provided there is an employment agreement of more than one year or unlimited duration. If an employment contract is concluded with a duration of less than a year, the period of validity of the cross-border commuter permit is identical with the duration of the employment contract.

### **5-year residence permit: EU/EFTA B permit**

This permit is generally valid for 5 years and may be renewed. It is generally issued to persons with at least a 1-year contract of employment.

Self-employed persons are initially granted a 6-month resident's permit during the transition period. They are then granted a 5-year residence permit on proof of self-employment.

Persons with no gainful employment may also obtain a 5-year residence permit, provided they have sufficient funds and adequate medical and accident insurance.

### **Settlement permit: EU/EFTA C permit**

This permit is not regulated under the bilateral agreement between Switzerland and the EU and is granted on the basis of settlement agreements or mutual rights. It is not subject to any time limit and is more extensive than the EU settlement permit. Persons from EU member states are generally entitled to settle in Switzerland after at least 5 years' residency.



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## Residence permit for non-EU nationals

Qualified workers from third countries are only granted a permit if local and industrial wage and employment conditions are met, no Swiss recruits can be found and there are special reasons for making an exception. Proof that efforts to recruit in the EU/EFTA were unsuccessful must also be provided. However, the principle of giving precedence to Swiss employees does not apply to international exchanges of management-level and highly specialized staff or to persons with a residence permit in conjunction with a family reunion.

### ■ Unlimited residence permit: C permit

This permit is generally granted after 10 years' uninterrupted residence in Switzerland, although both EU/EFTA nationals and US citizens are entitled to an unlimited residence permit after 5 years' residence. This permit does not depend on the situation in the job market. C permit holders have the same status as Swiss nationals, but no voting or electoral rights.

### ■ One-year residence permit: B permit

This permit can generally be extended every year and gives precedence to qualified workers under a quota system. A permit limited to 4 years may be granted in order to take up temporary work. A special written application for an exemption must be made in order to take up self-employment.

### ■ Short-stay residence permit: L permit

This permit is granted for a maximum of 18 months for the purpose of further vocational training or for a limited-term contract of employment.

### ■ Cross-border commuter's permit: G permit

This permit allows third-party nationals who have had a valid permanent residence permit in the EU/EFTA for at least 6 months to work in neighboring Swiss border zones. Border workers must return home to their main residence in the EU/EFTA at least once a week. The permit is generally valid for 1 year, but only in the canton that issued it.

### ■ Responsibility for issuing permits

Work permits are issued or extended by the authorities in the place of work (head office):

All communities in the Canton of Berne:

- Applications should be filed with beco (Berne Economy) through the local authority (municipality)
- Decision by immigration department (Aliens' Police)

The Federal Office for Migration (FOM) must approve foreigners' entry permits and first residence permit.





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## Important links

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### [www.berneinvest.com](http://www.berneinvest.com)

BEDA's web site contains helpful documents, informative materials, testimonials from companies that are already established in Berne, newsletters, business plan templates, and more.

### [www.bfm.admin.ch](http://www.bfm.admin.ch)

This is the website for the Federal Office for Migration.

## Contact

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